

PART 36

CONSTRUCTION AND ARCHITECT-ENGINEER CONTRACTS

36.202 Specifications.

<i>FAR as of FAC 90-25</i>	<i>FAR as revised</i>
(a) Construction specifications shall conform to therequirements in Part 40 of this regulation. * * * * *	(a) Construction specifications shall conform to therequirements in Part 11 of this regulation. [FAC 90-32] * * * * *

36.206 Liquidated damages.

<i>FAR as of FAC 90-25</i>	<i>FAR as revised</i>
The contracting officer shall evaluate the need for liquidated damages in a construction contract in accordance with 42.202 and agency regulations.	The contracting officer shall evaluate the need for liquidated damages in a construction contract in accordance with 11.502 and agency regulations. [FAC 90-32]

36.303 Invitations for bids.

<i>FAR as of FAC 90-25</i>	<i>FAR as revised</i>
* * * * * (c) Contracting officers should assure that each invitation for bids includes the following information, when applicable: * * * * * (4) The period of performance (see Subpart 42.4). * * * * *	* * * * * (c) Contracting officers should assure that each invitation for bids includes the following information, when applicable: * * * * * (4) The period of performance (see Subpart 11.4). * * * * * [FAC 90-32]

36.306 Notice of award.

<i>FAR as of FAC 90-25</i>	<i>FAR as revised</i>
When a notice of award is issued, it shall contain information required by 14.407 and shall— * * * *	When a notice of award is issued, it shall be done in writing or electronically , shall contain information required by 14.408 and shall— * * * * [FAC 90-31]

36.402 Price negotiation.

FAR as of FAC 90-25

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(b) The contracting officer shall evaluate proposals and associated cost or pricing data and shall compare them to the Government estimate.

(1) When the submission of ~~certified~~ cost or pricing data is not required (see ~~15.804-2 and 15.804-3~~), and any element of a ~~proposal~~ differs significantly from the Government estimate, the contracting officer should request the offeror to submit cost ~~data~~ concerning that element (e.g., wage rates or fringe benefits, significant materials, equipment allowances, and subcontractor costs).

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FAR as revised

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(b) The contracting officer shall evaluate proposals and associated cost or pricing data **or information other than cost or pricing data** and shall compare them to the Government estimate.

(1) When submission of cost or pricing data is not required (see **15.804-1 and 15.804-2**), and any element of **proposed cost** differs significantly from the Government estimate, the contracting officer should request the offeror to submit cost **information** concerning that element (e.g., wage rates or fringe benefits, significant materials, equipment allowances, and subcontractor costs).

* * * * * [FAC 90-32]

36.607 Release of information on firm selection.

FAR as of FAC 90-25

After final selection has taken place, the contracting officer may release information identifying only the architect-engineer firm with which a contract will be negotiated for certain work. The work should be described in any release only in general terms, unless information relating to the work is classified. If negotiations are terminated without awarding a contract to the highest rated firm, the contracting officer may release that information and state that negotiations will be undertaken with another (named) architect-engineer firm. When an award has been made, the contracting officer may release award information (see 5.401).

FAR as revised

(a) After final selection has taken place, the contracting officer may release information identifying only the architect-engineer firm with which a contract will be negotiated for certain work. The work should be described in any release only in general terms, unless information relating to the work is classified. If negotiations are terminated without awarding a contract to the highest rated firm, the contracting officer may release that information and state that negotiations will be undertaken with another (named) architect-engineer firm. When an award has been made, the contracting officer may release award information (see 5.401)

(b) **Debriefings of successful and unsuccessful firms will be held after final selection has taken place and will be conducted, to the extent practicable, in accordance with 15.1004(b) through (g). Note that 15.1004(d)(2) through (d)(5) does not apply to architect-engineer contracts.** [FAC 90-31]